

JUN 02 2005

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To:	Examiner T. McKelvey United States Patent & Trademark Office	From:	Xiaochun Zhu
Fax:	1-703-872-9306	Pages:	16 (including fax cover sheet)
Phone:		Date:	June 2, 2005
Re:	Joseph A. Rothnagel, et al. U.S. Patent Appln. No. 09/880,253 Our Docket: 13711	CC:	


☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Attached for submission to the U.S. Patent and Trademark Office are the following:

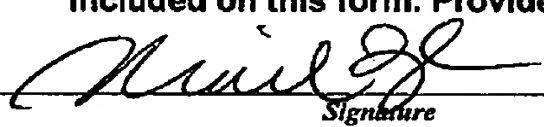
- Amendment Transmittal Letter (in duplicate)
- Supplemental Amendment Under 37 C.F.R. §1.121

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AMENDMENT TRANSMITTAL LETTER (Small Entity)					Docket No. 13711	
Applicant(s): Joseph A. Rothnagel, et al.						
Application No. 09/880,253	Filing Date June 13, 2001	Examiner T. McKelvey	Customer No. 23389	Group Art Unit 1636	Confirmation No. 7342	
Invention: EXPRESSION MODULATING SEQUENCES						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	29 -	137 =	0	x \$25.00	\$0.00	
INDEP. CLAIMS	7 -	16 =	0	x \$100.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature			Dated: June 2, 2005			
Xiaochun Zhu Registration No: 56,311 Scully, Scott, Murphy & Presser 400 Garden City Plaza, Suite 300 Garden City, NY 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"><p>I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p style="text-align:center;">(Date)</p><p style="text-align:center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align:center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>			
CC:						

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** Joseph A. Rothnagel, et al.**Examiner:** T. McKelvey**Serial No.:** 09/880,253**Art Unit:** 1636**Filed:** June 13, 2001**Docket:** 13711**For:** EXPRESSION MODULATING
SEQUENCES**Dated:** June 2, 2005**Confirmation No.** 7342Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. §1.121**

Sir:

Further to the filing of a Response under 37 C.F.R. §1.114 on April 27, 2005,

Applicants respectfully request entry of the following supplemental amendments in the above-identified case.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to 703-872-9306 at the Patent and Trademark Office on the date shown below.

Dated: June 2, 2005
Xiaochun Zhu

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